UNITED STATES PATENT AND TRADEMARK OFFICE

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09/608,038	06/30/2000	Tetsuro Yoshioka		1110

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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 April 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _4/13/2004_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5-4-2004 has been entered.

Response to Amendment

Applicant amendment of 4-19-04 added new claims 10 - 19.

Currently, claims 1- 19 are pending.

Specification

The amendment filed 4/13/2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows: "Copyright" (claim 14) and "URL referring" (claims 13, 15 and 19).

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark (US 6,351,738 B1) in view of Conklin (US 6,332,135 B1) and further in view of McGee (6,393,468 B1).

Regarding claim 1, Clark teaches a franchise system for organizing and establishing a headquarter for business transactions over a network, comprising: at least one headquarter network server (see at least Abstract, Col 5, lines 22 – 27 and Figures 3 – 5); a plurality of franchise store servers, each corresponding to a different franchise store and connected with the at least one headquarter network server by a network (see at least Figure 3); and a plurality of member servers, each corresponding to a different member terminal and connected with the at least one headquarter network server by the network (see at least Figure 3); wherein the at least one headquarter network server includes, a merchandise information memory data that includes information for goods sold by the franchise stores (see at least Col 5, lines 22 – 27 and Figure 3), and an order receiving system that processes orders from the plurality of member terminals through the home pages of each franchise store, and the franchise store ID system matches a franchise store to a person ordering via a member terminal when the person accesses the franchise system (see at least Col 12, lines 25 – 30). Please note that

Clark does not specifically call out a home page, servers, terminals or memory.

However, Clark does disclose and teach regarding electronic commerce systems for

franchiser and franchisee's and it was well known at the time of the applicant's invention

that electronic commerce systems would have and did contain home page(s) as well as

the necessary IT infrastructure components such as servers, terminals and memory.

Therefore, one of ordinary skill in the art would have been motivated to extend the

system of Clark with a home page(s) as well as the necessary IT infrastructure

components such as servers, terminals and memory in order to enable an electronic

commerce site.

On the other hand, Clark does not specifically disclose and teach a home page creation

system that accesses the merchandise information memory data for merchandise

information to create a home page of each franchise store, and that accesses a home

page data memory system to collect additional home page data for the home page of

each franchise store, the home page creation system also accessing a franchise store

identification (ID) system, a home page sending service that sends home page data for

the home page of each franchise store to at least one predetermined member server,

including information from the merchandise information memory data, and a received

data transfer system that transfers order data received by the order receiving system

from the at least one headquarter network server to one of the franchise servers

according to the franchise store ID system, the order data including a buyer name and

goods ordered.

However, Conklin does teach a home page creation system that accesses the

merchandise information memory data for merchandise information to create a home

page of each franchise store, and that accesses a home page data memory system to

collect additional home page data for the home page of each franchise store, the home

page creation system also accessing a franchise store identification (ID) system (see at

least Abstract, Col 14, lines 9 – 12 and 64 – 67, Col 17, lines 5 – 19), a home page

sending service that sends home page data for the home page of each franchise store

to at least one predetermined member server, including information from the

merchandise information memory data (see at least Col 21, lines 30 – 36 and Col 22,

lines 51 – 65), and a received data transfer system that transfers order data received by

the order receiving system from the at least one headquarter network server to one of

the franchise servers according to the franchise store ID system, the order data

including a buyer name and goods ordered (see at least Col 19, lines 26 - 29 and Col

20, lines 62 – 67 and Figures 1b - g).

It would have been obvious to one of ordinary skill in the art at the time of the invention

to have provided the system of Clark with the system of Conklin to have provided a

home page creation system that accesses the merchandise information memory data

for merchandise information to create a home page of each franchise store, and that

accesses a home page data memory system to collect additional home page data for

the home page of each franchise store, the home page creation system also accessing

a franchise store identification (ID) system, a home page sending service that sends

home page data for the home page of each franchise store to at least one

predetermined member server, including information from the merchandise information

memory data, and a received data transfer system that transfers order data received by

the order receiving system from the at least one headquarter network server to one of

the franchise servers according to the franchise store ID system, the order data

including a buyer name and goods ordered, and an order receiving system that

processes orders from the plurality of member terminals through the home pages of

each franchise store, and the franchise store ID system matches a franchise store to a

person ordering via a member terminal when the person accesses the franchise system

– in order for the services such as home page creation and home page sending to be

provided to the franchisees. Clark discloses a franchise for organizing and establishing

a headquarter for business transactions over a network, comprising: at least one

headquarter network server; a plurality of franchise store servers, each corresponding

to a different franchise store and connected with the at least one headquarter network

server by a network; and a plurality of member servers, each corresponding to a

different member terminal and connected with the at least one headquarter network

server by the network; wherein the at least one headquarter network server includes, a

merchandise information memory data that includes information for goods sold by the

franchise stores, and an order receiving system that processes orders from the plurality

of member terminals through the home pages of each franchise store, and the franchise

store ID system matches a franchise store to a person ordering via a member terminal

when the person accesses the franchise system (Abstract and Figures 3 and 4). Conklin

discloses a home page creation system that accesses the merchandise information

memory data for merchandise information to create a home page of each franchise

store, and that accesses a home page data memory system to collect additional home

page data for the home page of each franchise store, the home page creation system

also accessing a franchise store identification (ID) system, a home page sending

service that sends home page data for the home page of each franchise store to at least

one predetermined member server, including information from the merchandise

information memory data, and a received data transfer system that transfers order data

received by the order receiving system from the at least one headquarter network

server to one of the franchise servers according to the franchise store ID system, the

order data including a buyer name and goods ordered (Abstract and Figures 1c – g).

Therefore, one of ordinary skill in the art would have been motivated to extend the

franchise system of Clark with the system of Conklin to have enabled a franchise

system with a home page creation system that accesses the merchandise information

memory data for merchandise information to create a home page of each franchise

store, and that accesses a home page data memory system to collect additional home

page data for the home page of each franchise store, the home page creation system

also accessing a franchise store identification (ID) system, a home page sending

service that sends home page data for the home page of each franchise store to at least

one predetermined member server, including information from the merchandise

information memory data, and a received data transfer system that transfers order data

received by the order receiving system from the at least one headquarter network server to one of the franchise servers according to the franchise store ID system, the order data including a buyer name and goods ordered. In this manner, the investment required by each franchisee is reduced in not having to purchase the software required for home pages as well as the IT infrastructure and thereby increase their potential profits. Moreover, it is a strong selling point for the franchiser for attracting and retaining franchisees as result of their reduced upfront investment.

The combination of Clark and Conklin substantially disclose and teach the applicant's invention.

While Conklin does disclose matching of franchise store ID with a password, the reference does not specifically disclose a franchise store ID system matching franchise stores to the person accessing the franchise system based on uniform resource locator values set up in advance according to predetermined rules.

However, McGee does disclose and teach a franchise store ID system matching franchise stores to the person accessing the franchise system based on uniform resource locator values set up in advance according to predetermined rules (see at least Abstract and Col 12, lines 32 - 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combinations of Clark and Conklin with the system of McGee to have enabled the franchise store ID system matching franchise stores to the person accessing the franchise system based on uniform resource locator values set up in advance according to predetermined rules – in order to ensure that the these individuals can access sensitive information. The combination of Clark and Conklin disclose a franchise system franchise for organizing and establishing a headquarter for business transactions over a network, comprising: at least one headquarter network server; a plurality of franchise store servers, each corresponding to a different franchise store and connected with the at least one headquarter network server by a network; and a plurality of member servers, each corresponding to a different member terminal and connected with the at least one headquarter network server by the network; wherein the at least one headquarter network server includes, a merchandise information memory data that includes information for goods sold by the franchise stores, and an order receiving system that processes orders from the plurality of member terminals through the home pages of each franchise store, and the franchise store ID system matches a franchise store to a person ordering via a member terminal when the person accesses the franchise system; a home page creation system that accesses the merchandise information memory data for merchandise information to create a home page of each franchise store, and that accesses a home page data memory system to collect additional home page data for the home page of each franchise store, the home page creation system also accessing a franchise store identification (ID) system, a home

page sending service that sends home page data for the home page of each franchise

store to at least one predetermined member server, including information from the

merchandise information memory data, and a received data transfer system that

transfers order data received by the order receiving system from the at least one

headquarter network server to one of the franchise servers according to the franchise

store ID system, the order data including a buyer name and goods ordered. McGee

discloses a franchise store ID system matching franchise stores to the person

accessing the franchise system based on uniform resource locator values set up in

advance according to predetermined rules (see at least Abstract and Col 12, lines 32 -

35). Thereby, the person as well as other franchise will be assured of limiting access to

this system/intranet to only qualified and validated members. Indeed, the person's

satisfaction will be improved and therefore improve the probability that they person will

recommend the system to others.

Regarding claim 3, Clark teaches a franchise, wherein: the network includes the Internet

Col 11, lines 51 – 53).

Regarding claim 4, McGee teaches the franchise system, wherein: the home page

sending service sends predetermined guest home page data when a member server

accessing the Franchise System does not match any franchise store (Col 13, lines 3 –

6).

Regarding claim 5, the recitation that "wherein: the uniform resource locator values include a first portion unique to each franchise store and a second portion common to all franchise stores and the headquarters" such recitation is given little patentable weight because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other "URL values" already disclosed by McGee.

Regarding claim 6, the franchise system, wherein: the at least one headquarter network server further includes a member entry data base that identifies previously accessing members and matches said members to a predetermined franchise store according to said member entry data (Col 19, lines 62 – 63).

Regarding claims 7, 8 and 9, the recitations that " wherein: the member entry data base includes member entries comprising a member identification (ID) value, a password, a franchise store code, and a terminal identification (ID) code", " wherein: at least a portion of the member ID value includes at least a portion of the store code" and "wherein: at least a portion of the password includes at least a portion of the store" such recitations are given little patentable weight because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other "identifies" already disclosed by Conklin.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Clark, Conklin and McGee, as applied to claim 1 above and further in view of Alsop (US 5,970,472).

The combination of Clark, Conklin and McGee substantially disclose and teach the applicant's invention.

On the other hand, the combination does not specifically disclose and teach the franchise system, wherein: the merchandise information memory data further includes information for goods not available at one of the franchise stores, but available at the headquarter.

On the other hand and regarding claim 2, Alsop teaches a franchise system, wherein: the merchandise information memory data further includes information for goods not available at one of the franchise stores, but available at the headquarter (Col 10, lines 4 – 10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clark, Conklin and McGee with the system of Alsop to have enabled a franchise system, wherein: the merchandise information memory data further includes information for goods not available at one of the franchise stores, but available at the headquarter – in order to be able to provide the customer with the

desired product. The combination of Clark, Conklin and McGee disclose a franchise

system with a headquarter server and a plurality of franchise servers as well as the

headquarter server containing memory, a home page creation system with password

access as an order receiving system. Alsop discloses franchise system, wherein: the

merchandise information memory data further includes information for goods not

available at one of the franchise stores, but available at the headquarter (Abstract, Col

10, lines 4 – 10). In this manner, the customer will not leave and shop at another site,

which would result in lost business. Moreover, the customer's satisfaction will be

increased due to having the desired product availability and not having to continue

shopping.

Claims 10 – 13 and 15 - 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Clark (US 6,351,738 B1) in view of Danneels (US 6,272,472 B1)

and further in view of Microsoft Computer Dictionary, Fifth Edition hereafter

referred to as "Microsoft".

Regarding claim 10 and related claim 15, Clark teaches an electronic franchise

shopping system for a plurality of franchise comprising: at least one headquarter server

(see at least Abstract, Col 5, lines 22 – 24 and Figure 3).

However, Clark does not specifically disclose and teach a goods master data base that

stores merchandise data for merchandise sold by all franchise stores, a member entry

data base that commonly stores data for members belonging to each franchise store,

said member data including at least a member identification value, member password,

and franchise store code corresponding to the franchise store to which the member

belongs, a franchise store data base that stores the franchise store code for each

franchise store, a home page 'data base that stores home page data for each franchise

store, a home page sending system that sends home page data according to a first type

universal resource locator (url) and a plurality of second type urls, the first type url

comprising a url common to the system, each second type url each corresponding to a

different franchise store, the home page sending system also sending a home page for

a franchise store based on member entry data base information , an order processing

system that receives orders from members through home pages each corresponding to

a particular franchise store, said orders including order data identifying a member and

goods ordered; and a plurality of franchise servers each corresponding to a different

franchise store, each franchise server receiving order data from the at least one

headquarter server received by way of the home page corresponding to the franchise

store .

On the other hand, Danneels discloses a goods master data base that stores

merchandise data for merchandise sold by all franchise stores, a member entry data

base that commonly stores data for members belonging to each franchise store, said

member data including at least a member identification value, member password, and

franchise store code corresponding to the franchise store to which the member belongs

(see at least Abstract, Col 3, lines 64 – 67, Col 3, lines 1 – 11), a franchise store data

base that stores the franchise store code for each franchise store (see at least Col 2,

lines 64 – 66), a home page 'data base that stores home page data for each franchise

store (see at least Col 3, lines 12 - 19, a home page sending system that sends home

page data according to a first type universal resource locator (url) and a plurality of

second type urls, the first type url comprising a url common to the system, each second

type url each corresponding .to a different franchise store, the home page sending

system also sending a home page for a franchise store based on member entry data

base information (see at least Col 3, lines 19 – 44), an order processing system that

receives orders from members through home pages each corresponding to a particular

franchise store, said orders including order data identifying a member and goods

ordered; and a plurality of franchise servers each corresponding to a different franchise

store, each franchise server receiving order data from the at least one headquarter

server received by way of the home page corresponding to the franchise store (see at

least Col 3, lines 46 – 62).

It would have been obvious to one of ordinary skill in the art at the time of the invention

to have provided the system of Clark with the system of Danneels to have enabled an

electronic franchise shopping system a goods master data base that stores

merchandise data for merchandise sold by all franchise stores, which includes a

member entry data base that commonly stores data for members belonging to each

franchise store, said member data including at least a member identification value,

member password, and franchise store code corresponding to the franchise store to

which the member belongs, a franchise store data base that stores the franchise store

code for each franchise store, a home page 'data base that stores home page data for

each franchise store, a home page sending system that sends home page data

according to a first type universal resource locator (url) and a plurality of second type

urls, the first type url comprising a url common to the system, each second type url each

corresponding to a different franchise store, the home page sending system also

sending a home page for a franchise store based on member entry data base

information, an order processing system that receives orders from members through

home pages each corresponding to a particular franchise store, said orders including

order data identifying a member and goods ordered; and a plurality of franchise servers

each corresponding to a different franchise store, each franchise server receiving order

data from the at least one headquarter server received by way of the home page

corresponding to the franchise store – in order to provide full service to participating

members. Clark teaches an electronic franchise shopping system (Abstract and Figure

3). Danneels discloses a system with a goods master data base that stores

merchandise data for merchandise sold by all franchise stores, a member entry data

base that commonly stores data for members belonging to each franchise store, said

member data including at least a member identification value, member password, and

franchise store code corresponding to the franchise store to which the member belongs,

a franchise store data base that stores the franchise store code for each franchise store,

a home page 'data base that stores home page data for each franchise store, a home

page sending system that sends home page data according to a first type universal

resource locator (url) and a plurality of second type urls, the first type url comprising a

url common to the system, each second type url each corresponding to a different

franchise store, the home page sending system also sending a home page for a

franchise store based on member entry data base information, an order processing

system that receives orders from members through home pages each corresponding to

a particular franchise store, said orders including order data identifying a member and

goods ordered; and a plurality of franchise servers each corresponding to a different

franchise store, each franchise server receiving order data from the at least one

headquarter server received by way of the home page corresponding to the franchise

store (Abstract and Figure 1). Thereby, one of ordinary skill in the art would have been

motivated to extend the system of Clark with a system for a goods master data base

that stores merchandise data for merchandise sold by all franchise stores, a member

entry data base that commonly stores data for members belonging to each franchise

store, said member data including at least a member identification value, member

password, and franchise store code corresponding to the franchise store to which the

member belongs, a franchise store data base that stores the franchise store code for

each franchise store, a home page 'data base that stores home page data for each

franchise store, a home page sending system that sends home page data according to

a first type universal resource locator (url) and a plurality of second type urls, the first

type url comprising a url common to the system, each second type url each

corresponding to a different franchise store, the home page sending system also

sending a home page for a franchise store based on member entry data base

information, an order processing system that receives orders from members through

home pages each corresponding to a particular franchise store, said orders including

order data identifying a member and goods ordered; and a plurality of franchise servers

each corresponding to a different franchise store, each franchise server receiving order

data from the at least one headquarter server received by way of the home page

corresponding to the franchise store. With this system, the franchisee and franchiser will

be able to reduce cost overall and thereby lower prices for items, which will increase the

potential revenue volume for the overall system.

The combination of Clark and Danneels substantially teaches and discloses the

applicant's invention.

Even though Clark and particularly Danneels disclose a participant registration process,

the references do not specifically disclose a franchise store identification (ID) system

that checks if an accessing stores, user is accessing the system for the first time, and

requests a member identification number and member password if the access is a first

time access, the franchise store ID system also comparing an entered member

identification value and member password to entries in the member entry database, and

if the member identification value and password match an entry in the member entry

data base matching the accessing user to the corresponding franchise store, else

matching the accessing user to a guest home page.

On the other hand, Microsoft teaches and discloses a participant registration process,

for a franchise store identification (ID) system that checks if an accessing stores, user is

accessing the system for the first time, and requests a member identification number

and member password if the access is a first time access, the franchise store ID system

also comparing an entered member identification value and member password to

entries in the member entry data 'base, and if the member identification value and

password match an entry in the member entry data base matching the accessing user

to the corresponding franchise store, else matching the accessing user to a guest home

page (Page 3). Please note that Microsoft does not specifically refer to a guest home

page. On the other hand, Microsoft does refer to a guest account. Moreover, it was old

and well known to one of ordinary skill in the art that the referring to a guest account is a

another HTML page (i.e. guest home page) for them to register in order to access the

site.

It would have been obvious to one of ordinary skill in the art at the time of the invention

to have provided the combination of Clarke and Danneels with the system of Microsoft

to have enabled a participant registration process, the references do not specifically

disclose a franchise store identification (ID) system that checks if an accessing stores,

user is accessing the system for the first time, and requests a member identification

number and member password if the access is a first time access, the franchise store

ID system also comparing an entered member identification value and member

password to entries in the member entry data base, and if the member identification value and password match an entry in the member entry data base matching the accessing user to the corresponding franchise store, else matching the accessing user to a guest home page – in order to ensure only appropriately registered members can access. The combination of Clarke and Danneels discloses an ecommerce franchise shopping system, which includes a member and franchise database with a home page sending system as well as order process. Microsoft discloses a franchise store identification system with a guest home page (page 3). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Clarke and Danneels with a participant registration process with a franchise store identification system with a guest home page. In this regard, the all participant's are assured only appropriate registered members can participate. With this assurance, participant's satisfaction will be increased, which will increase the probability that they will continue to use the system.

Regarding claim 11 (New), Microsoft teaches an electronic franchise shopping system, wherein: the franchise store ID system also requests the user to enter a password when the terminal identification code is not present, and the home page creation system also sends home page data corresponding to one of franchise stores the user if the member identification value and password correspond to the one franchise store, else sends guest home page data. Please note that Microsoft does not specifically disclose "password". However, "passwords" were old and well known to one of ordinary skill and

also were disclosed by Conklin, Thereby, one of ordinary skill in the art would have

been motivated to extend Microsoft with a "password" - in order to ensure security for all

participants.

Regarding claim 12 (New), Danneels teaches an electronic franchise shopping system,

wherein: the home page creation system generates a home page based on universal

resource locator (url) data sent by the user (Col 3, lines 41 – 44) and regarding claim 13

and related claim 18 (New) wherein: the url data sent includes a first portion

corresponding to the franchise, and a second portion unique to each franchise store.

(Col 3, lines 41 – 44). Please note Danneels doe not specifically disclose that url data

containing a first portion corresponding to the franchise and second portion to the

unique to each franchise store. However, Danneels does disclose linking of sites. In that

regard, it was old and well known at the time of the invention that linking of sites

ensured that url data containing a first portion corresponding to the franchise and

second portion to the unique to each franchise store. Therefore, one of one of ordinary

skill in the art would have been motivated to extend Danneels with these features in

order to ensure that the participant was directed to the correct franchisee.

Regarding claim 16 (New), Clark teaches an electronic franchise shopping system,

wherein: said member data further includes a terminal (ID) value associated with a

remote user terminal (Figures 3 and 4) and regarding claim 17 (New), wherein: the

franchise store identification ID system checks for a terminal ID value for an accessing

user, and determines that access is not a first access if the terminal ID value matches

that of the member data. Please note that Clark does not specifically cite where the

franchise store ID system match the ID with that of member data. However, Clark is

very specific in the disclosure for this e-commerce based franchise system that

members are required to join. In that regard, it was old and well known to one of

ordinary skill in the art at the time of the invention that these sophisticated e-commerce

systems included ID checking and matching system to ensure that only members can

access and use the system. Therefore, one of ordinary skill in the art would have been

motivated to extend Clark with a system for ID checking and matching system to ensure

that only members can access and use the system such as through a member login and

password.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Clark, Danneels and Microsoft as applied to claim 10 above, and

further in view of Spagna (US 6,587,837 B1).

The combination of Clark, Danneels and Microsoft substantially teach the applicant's

invention.

However, the combination does not specifically disclose and teach an electronic

franchise shopping system, wherein: the at least one headquarter network server further

includes a clearance system that executes copyright clearance procedures on behalf of a franchise store for good ordered through the web page of the franchise store.

On the other hand and regarding claim 14 (New), Spagna teaches an electronic franchise shopping system, wherein: the at least one headquarter network server further includes a clearance system that executes copyright clearance procedures on behalf of a franchise store for good ordered through the web page of the franchise store.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clark, Danneels and Microsoft with the system of Spagna for a electronic franchise shopping system in order that the at least one headquarter network server further includes a clearance system that executes copyright clearance procedures on behalf of a franchise store for good ordered through the web page of the franchise store (see at least Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to provided the combination of Clark, Danneels and Microsoft with the system of Spagna to have enabled a system for an electronic franchise shopping system, wherein: the at least one headquarter network server further includes a clearance system that executes copyright clearance procedures on behalf of a franchise store for good ordered through the web page of the franchise store. The combination of Clark, Danneels and Microsoft disclose a fully function electronic franchise system. Spagna

discloses a electronic franchise shopping system in order that the at least one

headquarter network server further includes a clearance system that executes copyright

clearance procedures on behalf of a franchise store for good ordered through the web

page of the franchise store (see at least Abstract). Therefore, one of ordinary skill in the

art would have been motivated to extend the combination of Clark, Danneels and

Microsoft with the system of Spagna to have provided a electronic franchise shopping

system in order that the at least one headquarter network server further includes a

clearance system that executes copyright clearance procedures on behalf of a franchise

store for good ordered through the web page of the franchise store.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Clark, Danneels and Microsoft as applied to claim 15 above, and

further in view of Alsop (US 5,970,472).

The combination of Clark, Danneels and Microsoft substantially disclose and teach the

applicant's invention

However, the combination does not specifically disclose and teach an electronic

franchise shopping system, wherein: the home page sending system sends a unique

home page for each second type url, each such unique home page including

merchandise data for merchandise available at the franchise store, and merchandise

not available at the franchise store but available at a headquarters location.

On the other hand and regarding claim 19 (New), Alsop teaches an electronic franchise shopping system, wherein: the home page sending system sends a unique home page for each second type url, each such unique home page including merchandise data for merchandise available at the franchise store, and merchandise not available at the franchise store but available at a headquarters location (Col 10, lines 4 – 10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clark, Danneels and Microsoft with the system of Alsop to have enabled a franchise system, wherein: the merchandise information memory data further includes information for goods not available at one of the franchise stores, but available at the headquarter – in order to be able to provide the customer with the desired product. The combination of Clark, Danneels and Microsoft disclose a franchise system with a headquaquater server and a plurality of franchise servers as well as the headquarter server containing memory, a home page creation system with password access as an order receiving system. Alsop discloses franchise system, wherein: the merchandise information memory data further includes information for goods not available at one of the franchise stores, but available at the headquarter (Abstract, Col 10, lines 4 – 10). In this manner, the customer will not leave and shop at another site, which would result in lost business. Moreover, the customer's satisfaction will be increased due to having the desired product availability and not having to continue shopping, which will save them time.

Response to Arguments

Applicants did not have any arguments with respect to claims 1 – 9.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **(703) 305-8230**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Smith** can be reached on **(703) 308-3588**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

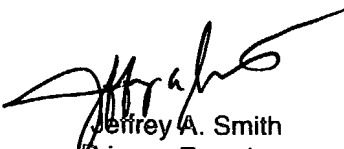*Commissioner for Patents*

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

(703) 872-9306   [Official communications; including

After Final communications labeled

"Box AF"]

(703) 746-7418 [Informal/Draft communications, labeled

"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

RER

Jeffrey A. Smith
Primary Examiner